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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,690	09/19/2001	James McCambridge	2206.65752	9754

7590                    09/04/2003  
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EXAMINER

ALIE, GHASSEM

ART UNIT                PAPER NUMBER

3724

DATE MAILED: 09/04/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/955,690	MCCAMBRIDGE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ghassem Alie	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 8/11/03.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1 and 7 is/are rejected.
- 7) Claim(s) 2-6 and 8 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 19 September 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> . | 6) <input type="checkbox"/> Other: _____ .                                   |

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa et al. (5,054,199), hereinafter Ogawa. Regarding claim 1, Ogawa teaches a trimmer attachment 70 for a hair clipper 10, which includes a stationary blade 51 and a reciprocating blade 52. Ogawa also teaches that the hair trimmer 70 includes a means 81 for securing the attachment to the hair clipper 10 and a movable trimmer blade 72. See Figs. 1, 2, 5, and 6A and col. 3, lines 150-68 and 4, lines 1-66 in Ogawa. Ogawa does not express that the movable trimmer blade 72 reciprocates in response to reciprocation of the reciprocating blade 52 of the hair a clipper 10. However, both the movable trimmer blade 72 and the reciprocating blade 52 are reciprocating by rotation of the output motor shaft 21 and the eccentric cam 32. The movable trimmer blade 72 and the reciprocating blade 52 of the hair clipper reciprocate together at the same time. If the reciprocating blade 52 of the hair clipper 10 is held or stopped reciprocating then the common drive shaft 21 will not rotate and consequently the movable trimmer blade 72 also will stop reciprocating. Therefore the movable trimmer blade 72 reciprocates in response to the reciprocating blade 52 of the hair clipper 10 and the output motor shaft 21. See col. 5, lines 8-67 in Ogawa.

Regarding claim 7, Ogawa teaches everything noted above including that the hair clipper blades 51, 52 have a first width and the movable trimmer blade 72 has a second with narrower than the first width. See Fig. 5 in Ogawa.

***Allowable Subject Matter***

2. Claims 2-6 and 8 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter: the prior art does not teach a drive arm which is partially surrounding the reciprocating blades of the hair clipper as set forth in claim 2.

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Beutel et al. (6,502,312), Melton (5,579,581), and Berg (2,300,143) teach a trimmer attachment for a hair clipper.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (703) 305-4981. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (703) 305-1082. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9302 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

GA/ga  
August 27, 2003

  
Allan N. Shoap  
Supervisory Patent Examiner  
Group 3700